United Nations A/C.3/64/SR.39

General Assembly
Sixty-fourth session

Official Records

Distr.: General
26 January 2010

Original: English

# Third Committee

**Summary record of the 39th meeting**
Held at Headquarters, New York, on Tuesday, 3 November at 3 p.m.

*Chairperson:* Mr. Penke ..... (Latvia)

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Agenda item 41: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*)

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*The meeting was called to order at 3.05 p.m.*

**Agenda item 41: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions** (*continued*) (A/64/12, A/64/12/Add.1 and A/64/330)

1. **Mr. Emadi** (Islamic Republic of Iran) said that although most of the Afghan and Iraqi refugees in his country had been voluntarily repatriated, over one million remained. In recent decades, the Islamic Republic of Iran had spent billions of dollars on subsidized food, energy, public transportation, health care, social services and legal protection for those refugees. Voluntary return was the best durable solution, and the distribution of land helped encourage return and reintegration. His country therefore believed that international assistance should be allocated mostly to the housing of returnees. The idea of encouraging refugees to integrate in host countries was unrealistic and irrational, and would lead to crisis.

2. Iran was the second-largest host country in the world, but accounted for only some 0.5 per cent of the 88,800 resettlement cases recorded for 2008. The Office of the United Nations High Commissioner for Refugees (UNHCR) accepted that there were some 85,000 vulnerable refugees and displaced persons in the country in 2009, but only 1,400 resettlement cases were being considered. That situation was unjust, especially given that an increasing number of refugees wished to be resettled in third countries. UNHCR should encourage international participation in global resettlement efforts.

3. In 2009, over 240,000 refugees in Iran were attending schools. The cost of medical services provided to refugees amounted to over $12 billion. However, international contributions accounted for less than 1 per cent of the required funds. He hoped that the international community would fulfil its responsibility.

4. **Ms. Mtawali** (United Republic of Tanzania) said that her country had sustainably repatriated over 590,000 refugees from Burundi and the Democratic Republic of the Congo since 2002. Her delegation was grateful to UNHCR and international donors for their assistance in that process. The programme was supervised by a Tripartite Commission, which ensured that repatriations were voluntary and complied with international law.

5. Local integration by naturalization was one pillar of the strategy which her Government had adopted in 2007. As of September 2009, some 12,000 of the 84,000 Burundian refugees in her country had been granted citizenship. Her Government also offered local integration as a solution to refugees of the 1972 crisis, based on the understanding that international donors would fund the programme until its conclusion.

6. On 29 September 2009, at the 60th session of the Executive Committee of UNHCR in Geneva (A/AC.96/SR.630), her delegation had invoked the cessation clause with respect to refugees from Burundi. In so doing, it had observed that protracted refugee situations imposed considerable burdens on host States and communities. It seemed logical that when the situation in countries of origin improved and the conditions that had given rise to flight no longer existed, refugees should return home.

7. Resettlement as a form of permanent solution had not received due attention. As a result of tighter immigration laws in many countries, statistics for resettlement were declining. She called on developed States to share the burden by opening their doors to further resettlement opportunities.

8. **Mr. Benmehidi** (Algeria) said that in view of the current crises, UNHCR was faced with new challenges. For instance, it had taken on the burden of assisting internally displaced persons, migrants and the victims of natural catastrophes. His delegation supported UNHCR in that work, but at the same time, a distinction must be made between refugees and economic migrants in order to respect the original mandate of UNHCR.

9. There were 11.6 million internally displaced persons and 2.1 million refugees in Africa alone. Algeria welcomed the adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (2009). His country called on all concerned parties to help African States to address the root causes of the complex situations at hand.

10. In view of its international commitments and its experience under the yoke of colonialism, Algeria had for over 30 years extended assistance and protection to refugees from Western Sahara. During his recent visit, the High Commissioner had witnessed the malnutrition and deprivation that prevailed in refugee camps. Algeria bore a disproportionate burden, and therefore

welcomed the decision to increase the budget of UNHCR. The confidence-building measures which had allowed the refugees in Tindouf and the population of Western Sahara to renew their family ties were welcome. Their plight was closely connected with the lack of progress in the implementation of international commitments. A just, lasting and mutually acceptable political solution was needed in order for the Sahrawi people to exercise its inalienable right to self-determination.

11. **Ms. Viktorova** (Russian Federation) said that the situation of the world's refugees demonstrated the important role of UNHCR and the need to define strategic guidelines for improving refugee protection. Her Government supported the work of UNHCR and was stepping up its own efforts to improve the protection of refugees and displaced persons, inter alia, by updating its legislation on the subject and doing more to secure their rights. Frank and open dialogue on refugee questions with the relevant international organizations, including UNHCR, was to the advantage of all concerned. She expressed support for the continuing efforts of UNHCR to bring about structural and budgetary improvements in its operations. The cluster approach was an effective tool for reacting to crisis situations, especially those involving mass displacements of population requiring emergency assistance. In refugee situations UNHCR, acting within its mandate, should be the lead agency. Governments should, however, be mainly responsible for solving the problems of internal forced displacement.

12. The international dialogue on protection should focus not only on the effectiveness of existing standards and national procedures, but also on the actual problems stemming from mixed migratory flows, including curbs on illegal migration, ending abuses of refugee status, and exchanging experience with improving refugee law. The reduction and elimination of statelessness, to which the High Commissioner had devoted great attention, should be given high priority. She drew attention to the Executive Committee's conclusions relating to statelessness, adopted in 2006, and the importance of putting them into effect. The sheer number of stateless persons was disquieting. The problem of the many so-called "non-citizens" in Latvia and Estonia, for instance, was still unresolved. Coordinated efforts must be made to overcome the deadlock in addressing the problem of statelessness by taking positive measures free of political calculation, partiality and double standards.

13. Marked progress had been achieved in the relations between her Government and UNHCR, through common approaches to the question of refugee status in situations already governed by national procedures and legal guarantees of the rights of refugees.

14. She welcomed the approach taken by UNHCR in finding long-term solutions to the problems of return, voluntary repatriation and resettlement. However, the question of mass resettlement in third countries in crisis situations called for a more cautious approach, which should be developed through consultation with the main regional partners.

15. **Mr. Tanin** (Afghanistan) said that Afghanistan was the leading country of origin of refugees worldwide. Some 80 per cent of Afghan references had been in exile for over 20 years; over 5 million had returned since 2001. His country was grateful to the Governments and peoples of Pakistan and the Islamic Republic of Iran for their assistance. The support of UNHCR, other international agencies and host countries was essential in order to ensure a life of dignity for refugees.

16. Despite the success of the voluntary repatriation programme, Afghanistan lacked the necessary resources to provide for returnees. Repatriation was also affected by terrorism and insecurity, which caused further displacement, in particular along the border with Pakistan. Poverty had been exacerbated by rising food prices and attacks on aid organizations.

17. A National Development Strategy had been established with the aim of increasing capacity for sustainable reintegration. With the support of international partners, his Government was working to empower and reform the Ministry of Refugees and Repatriation, foster interministerial cooperation and mobilize additional resources. In November 2008, Afghanistan had hosted an international conference on the return and reintegration of refugees, which had drawn attention to the need for sustained financial assistance. At their seventeenth trilateral meeting in July 2009, the relevant Governments had reaffirmed their commitment to the voluntary, gradual, safe and dignified repatriation of all Afghan refugees, and had agreed to strengthen and expand the National Development Strategy.

18. **Mr. Sipangule** (Zambia) said that it was futile to treat the symptoms of a problem without addressing its cause. The international community should devote more efforts and resources to tackling armed conflict and promoting democratic values and good governance. Zambia appreciated the efforts of UNHCR and the African Union to convene a special summit of Heads of State and Government to discuss the protection of refugees, returnees and displaced persons. The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa was another welcome step.

19. The flow of refugees to Zambia had decreased, although individuals continued to arrive from the eastern Democratic Republic of the Congo and the Horn of Africa, particularly Somalia. There was now an opportunity for thousands of refugees to return voluntarily to their countries of origin. Zambia continued to prioritize voluntary repatriation and facilitate resettlement in third countries. At the same time, local integration would be considered where possible.

20. The Democratic Republic of the Congo repatriation programme was progressing well. The target of 18,500 repatriations by the end of 2009 was likely to be achieved. However, over 30,000 refugees from that country would still be in Zambia by the end of the year. The situation justified a review and extension of the agreed time frame for organized voluntary repatriation.

21. The organized voluntary repatriation programme for Angolan refugees had come to an end in 2007. With logistical support from UNHCR, the Governments of Angola and Zambia had determined new modalities to facilitate the return of Angolan refugees. He called on UNHCR to assess whether the cessation clauses applied to Rwandan refugees in Zambia. There appeared to have been no progress with repatriation efforts.

22. Zambia welcomed the convening of the High Commissioner's dialogue on challenges for people of concern to UNHCR in urban settings, an area that posed a challenge to the country. The UNHCR policy on refugee protection and solutions in urban areas, which included a ten-point plan, could serve as the basis for a practical response. His country appreciated the assistance provided by UNHCR and the budget to be approved for the 2010-2011 biennium. The international community must respond to the High Commissioner's call for additional resources.

23. **Ms. Gebremariam** (Ethiopia) said that the reintegration of returnees was often hampered by the absence of appropriate infrastructure and the steep rise in food prices. The connection between relief and development had not received sufficient attention, and the resources of UNHCR were overstretched.

24. Africa was home to almost half of the world's internally displaced persons, whose situation was jeopardized by underdevelopment and lack of resources. The international community should provide financial assistance to Africa, and support governments in their efforts to address the issue. The recently adopted African Union Convention was a further statement of the continent's commitment towards internally displaced persons.

25. Ethiopia remained committed to the 1951 Convention relating to the Status of Refugees and the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa. It had enacted legislation establishing a procedure for asylum applications, and was working with international humanitarian organizations to assist the over 110,000 refugees on its territory.

26. Her Government had worked relentlessly to find durable solutions, including voluntary repatriation, reintegration and resettlement programmes. Over 6,000 refugees from Eritrea had been resettled in the United States of America. Many had been permitted to join their relatives in cities in Ethiopia. Efforts were being made to ensure access to higher education in Ethiopia. Between 1997 and 2005, some 250,000 refugees had been voluntarily repatriated to north-western Somalia, and as a result, seven of the eight refugee camps in eastern Ethiopia had been closed. However, three additional camps had been opened between 2007 and 2009 to host refugees fleeing new unrest in Somalia.

27. Since 2006, around 36,000 refugees from the Sudan had been repatriated, and that process was continuing. Through the African Union and the Intergovernmental Authority on Development, Ethiopia was actively seeking a solution to the conflicts in Somalia and Darfur. The refugee issue in her country could be resolved only with international support and peacebuilding efforts.

28. **Ms. Robertson** (Canada) said that the protection role of UNHCR was essential, including in the context of the cluster coordination approach. At the same time, States must fulfil their responsibilities towards refugees and internally displaced persons. Canada continued to support the efforts of UNHCR to build a stronger and more results-oriented organization. Refugees must be involved in the decisions that affected their lives. Her country looked forward to the forthcoming High Commissioner's dialogue, welcomed the UNHCR policy on refugee protection and solutions in urban areas, and appreciated the Office's leadership of the protection clusters of conflict-affected populations. The High Commissioner had recently expressed an interest in leading, where appropriate, the protection cluster. Her delegation looked forward to discussing the parameters for such engagement at the Executive Committee.

29. Canada stressed the need for age, gender and diversity mainstreaming in analysing protection needs, and commended UNHCR for its efforts to take a rights-based and community-based approach. UNHCR had made significant efforts to implement a large-scale process of structural and managerial change. Such changes would enhance the Agency's efficiency, effectiveness and coherence. Canada encouraged UNHCR to take stock of its achievements and report on them in a comprehensive manner.

30. Planning and prioritization were key elements in improving effectiveness. The comprehensive needs assessment that had been undertaken was therefore welcome. However, the budget might unduly raise stakeholders' expectations in difficult economic times. Canada encouraged UNHCR and Member States to manage expectations and develop a clear and transparent framework to establish priorities.

31. Canada welcomed the progress that had been made towards elaborating a comprehensive approach to displacement, and encouraged the formation of partnerships between actors involved in development, peace and security and humanitarian action. To that end, UNHCR could further strengthen the linkages between the global protection cluster and the field. Lastly, Canada called on all actors to ensure the safety of aid workers, many of whom had lost their lives while assisting others.

32. **Mr. Tarar** (Pakistan) said that since the 1980s, his country had hosted the largest refugee population in the world. Pakistan's generosity to Afghan refugees had impacted the job market, public infrastructure and economic, socio-cultural and security sectors.

33. The loss of life of aid workers, including UNHCR staff members, was disturbing. Pakistan condemned those acts of terrorism in the strongest possible terms, and was determined to eliminate the threat.

34. In consultation with UNHCR and the Government of Afghanistan, Pakistan had decided to continue the voluntary repatriation programme beyond 2009. In March 2009, his Government and UNHCR had signed a letter of mutual intent to ensure the voluntary nature of returns. Viable return packages and reintegration would help create a "pull factor". The international community must share responsibility for maintaining Afghan refugees in Pakistan. Assistance had been considerably reduced since 2002, and must be strengthened.

35. **Mr. Loulichki** (Morocco) said that the work of UNHCR was hampered by the global crisis and the constant threat to staff members. UNHCR had worked to improve the living conditions of refugees and internally displaced persons by ensuring the civil and humanitarian character of camps and guaranteeing freedom of movement, family reunification and voluntary repatriation. Morocco welcomed the decision to strengthen the capacities of the Division of International Protection Services.

36. Host countries were responsible for conducting a census in order to ensure that UNHCR operations were based on verified data. UNHCR should act in accordance with its humanitarian and social mandate, the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and the relevant deliberations of the Executive Committee. It should seek to enact sustainable solutions without any political or ideological obstacles imposed by host countries.

37. Morocco had repeatedly asked UNHCR to put an end to the deplorable conditions of refugees in the Tindouf camp, and to extend protection and assistance to the refugees until their voluntary return to Morocco. The High Commissioner for Refugees had recently visited Rabat, Algiers and Tindouf. He had deplored the plight of the camp's inhabitants and stated that the tragedy of separation cut across all families from Western Sahara. He had rejected the idea that a census could be conditional on the political resolution of the

conflict. His visit had established in an unequivocal manner that Algeria had flagrantly refused to comply with its international obligations by allowing UNHCR to conduct a census. That position had been in place since 1967, and was an insult to UNHCR and the United Nations.

38. It was not enough for Algeria to bemoan passively the fate of the people of Tindouf. Instead, Algeria should help to solve the problem, and let those people exercise freedom of expression and movement. The representative of Algeria had called for a political solution; that wish should be backed by action. Algeria's proximity entailed an obligation. At the very least, Algeria should refrain from obstructing the process.

39. **Mr. Yoder** (Ukraine) said that his Government had processed hundreds of asylum-claims and opened temporary accommodation for asylum-seekers. The Ukraine cooperated with a range of international institutions, and had recently launched an action plan to integrate individuals who had been granted refugee status.

40. The Ukraine complied with its obligations under the 1951 Convention regarding the Status of Refugees and its 1967 Protocol, which were the principal instruments for the protection of refugees. It welcomed the new role of UNHCR as cluster leader for camp coordination and management and for the provision of protection and shelter in situations of conflict-related internal displacement and supported the policy of refining the budget of UNHCR, reorganizing its structure and functions, and optimizing expenditure and staff allocation.

41. **Mr. Srivali** (Thailand) said that his country continued to harbour over 130,000 displaced persons from neighbouring countries. In so doing, Thailand worked in close partnership with UNHCR, which had shown exemplary commitment. The UNHCR resettlement programme for Thailand continued to be the largest in the world. His country was grateful to non-governmental organizations (NGOs) for their assistance.

42. Thailand was faced with unique challenges. In addition to assisting displaced persons, it needed to remain responsive to its own citizens, who did not always understand why the country must comply with its international obligations. Sustainable and comprehensive solutions for displaced persons required the involvement of the entire international community and all stakeholders. His delegation therefore looked forward to the High Commissioner's dialogue, and hoped that a comprehensive picture of the causes and solutions to the problem would emerge as a result.

43. Thailand commended the courageous humanitarian staff who worked in conflict zones, and condemned in the strongest possible terms any attack against them. His country appreciated the efforts of the High Commissioner to establish a permanent Security Steering Committee to enhance security for UNHCR field staff.

44. **Mr. Kaludjerović** (Montenegro) said that his country had over the previous two decades shown openness to thousands of displaced persons from the former Yugoslav republics. Displaced persons now accounted for 4 per cent of the population. Montenegro treated everybody equally, including in the areas of employment, education, health and opportunities for entrepreneurship. The Government had adopted several documents setting forth its obligations in achieving a sustainable and just solution for displaced persons.

45. The re-registration of displaced and internally displaced persons was still continuing with the full support of UNHCR, and would be completed in December 2009. The process would determine their exact number, and collect all relevant information on displaced persons from Kosovo in particular, in order to improve coordination of regional efforts.

46. Legislation on foreign nationals had been amended to allow all displaced persons to acquire the status of foreigner with permanent residence, enjoying full rights and the appropriate identity card. Displaced persons who fulfilled the necessary requirements could register as refugees and subsequently apply for citizenship of Montenegro.

47. The European Commission, the Organization for Security and Co-operation in Europe, UNHCR and regional States should intensify their efforts to allow displaced persons to return to their homes. It was equally essential to ensure that repatriations were sustainable. Technical and financial assistance for return and reintegration were an important component in achieving a durable solution to refugee issues.

48. **Ms. Sobhan** (Bangladesh) said that increasing political strife and violence and the emergence of new threats like climate change made it likely more people

would be displaced in the coming years. UNHCR must develop strategies to address that increasingly complex situation. She regretted that the contribution of host countries and the difficulties they faced were often not appreciated. Bangladesh, for example, despite limited resources and the environmental, social, economic and security risks of hosting large numbers of refugees from Myanmar, had been meeting their needs for over three decades. Their living conditions had been improved, basic services were available and they were issued identity and ration cards. The international community however, must help shoulder that burden.

49. Repatriation was an inalienable right of refugees and the only viable solution to refugee situations, including protracted ones. Furthermore, most of the countries hosting refugees were developing countries struggling to achieve the development of their own people; local integration was not a viable option. UNHCR must act accordingly and countries of origin must be helped to address the root causes that had caused displacement with a view to creating the necessary conditions for successful repatriation.

50. Her delegation welcomed the reforms at UNHCR, aimed at devoting more resources to field operations, in particular by reducing operational and staff costs and increasing resources to improve the conditions of refugees and supported its efforts to meet its protection mandate for persons of concern. In that context she called for a more balanced approach to the goals of the Agenda for Protection, especially adequate focus on sharing burdens and international cooperation. She also called on all stakeholders to enhance their support for UNHCR in the performance of its mandated responsibilities.

51. **Mr. Hariprasid** (India) said that determination of refugee status must conform strictly to UNHCR criteria. The international community must be prepared to extend all possible help to refugees and stateless persons, and welcomed efforts by UNHCR to strengthen its capacities for both protection and quick response. He expressed concern however at the number of protracted refugee situations, the increase in refugee populations and the difficulties UNHCR at times faced in gaining access to persons requiring protection. Access was often impeded by non-State actors in situations of armed conflict; the international community must ensure that non-State actors guaranteed access for humanitarian organizations.

52. Primary responsibility for internally displaced persons lay with national authorities; UNHCR should be involved in meeting their needs only with the concurrence of national authorities or, in the case of a collapse of national authority, in conformity with the conditions approved by the General Assembly. The implications of intervention by UNHCR should likewise be carefully examined.

53. India was not a signatory to the 1951 Convention relating to the Status of Refugees because it believed that the Convention was limited in scope and did not address issues relating to massive migration and mixed refugee flows. India had, however, always respected international principles pertaining to refugees, in particular non-refoulement. It had received diverse streams of migration and currently hosted some of the largest refugee populations in the world, whose needs were met from its own resources and who enjoyed full protection under Indian law. India had likewise managed the successful repatriation of a large number of refugees through bilateral arrangements without any multilateral assistance.

54. His delegation would continue to work in concert with the international community to address challenges to the international protection agenda in a spirit of solidarity. It respected the efforts of UNHCR staff in particular, often in dangerous situations, and assured them of its continuing support.

55. **Mr. Starčević** (Serbia) said that if countries of origin addressed the root causes of displacements of their populations, refugees would be encouraged to return home. Serbia hosted large numbers of refugees from Bosnia and Herzegovina and internally displaced persons from its southern province of Kosovo. More than a half million refugees had been registered in Serbia since 1996, and, while only 86,000 were currently registered, the decrease was primarily the result of acquisition of Serbian citizenship by more than 250,000 of them. Their socio-economic situation continued to be difficult due to loss of property and violations of their rights in the countries of origin, an issue of particular importance for those who still wished to return home once appropriate conditions for their safe and sustainable return were created.

56. Serbia was the only European country affected by a protracted refugee situation. In addition to the more than 86,000 refugees from neighbouring countries, more than 230,000 internally displaced persons from

and within the province of Kosovo remained. That figure had not significantly declined for more than 10 years and the pace of returns had almost come to a halt in the past two years despite the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK).

57. His delegation welcomed the UNHCR initiative to address the problem of protracted refugee situations and had actively participated in the second meeting of the High Commissioner's Dialogue on Protection Challenges held in December 2008 in Geneva. During the past two years his Government had undertaken several initiatives in cooperation with UNHCR and other international organizations to reinvigorate efforts to find durable solutions for refugees through improved cooperation with neighbouring countries.

58. His delegation hoped that the visit of the High Commissioner in August 2009 would lead to intensified efforts to resolve the refugee and displaced person situation in south-eastern Europe. In the near future his Government would host a regional conference aimed at finding durable solutions that would provide the countries of the region with an opportunity to demonstrate their willingness to cooperate even on sensitive issues, and thus likewise further their goal of European integration.

59. His Government stood ready to cooperate with its neighbours, in particular the countries of origin, in finding sustainable solutions for the protracted refugee situation. It would continue to provide assistance and protection to refugees and provide for the local integration of refugees who chose to stay in Serbia. For their part the countries of origin should make additional efforts aimed at ensuring a sustainable return of the refugees, who were their own citizens based on full respect for their human rights, including property, tenancy, labour, pension and other rights, in a free and non-discriminatory manner. In the meantime assistance from the international community in meeting the needs of the refugee population continued to be of great importance. His delegation, a member of the Executive Committee of UNHCR, would continue to support the work of the High Commissioner worldwide.

60. **Ms. Park** Enna (Republic of Korea) said that refugees in many parts of the world continued to face severe humanitarian crises, aggravated by the global economic recession. Strategic and effective responses to alleviate the plight of refugees were more necessary than ever. She therefore supported UNHCR's remarkable achievement in promoting institutional and budgetary reform aimed at strengthening needs-based activities, for example the introduction of the global needs assessment (GNA) and the adoption of the first Biennial Programme Budget prepared in accordance with the new budget structure. UNHCR's improved structure and budgetary system and strengthened leadership in the cluster approach, in particular in such areas as emergency shelter and protection, would improve services on the ground.

61. She expressed grave concern at reports of forced return of refugees. Neither security concerns nor economic considerations could justify violation by States of their fundamental obligation of non-refoulement. Particular attention needed to be paid to North Koreans who had left their country but had been forced to return. The fear of persecution following their return should exclude them from forced return, in accordance with the 1951 Convention relating to the Status of Refugees. Refugees or persons in refugee-like situations should not be subject to forced return by a third country in which they resided or to which they had travelled.

62. Sexual and gender-based violence against women during armed conflicts and the precarious situations of refugee children were other matters of grave concern. Both UNHCR and States should meet the specific needs of refugee women and children, given their particular vulnerabilities. Efforts should, for example, be redoubled to adopt a more child-friendly approach at borders, during interceptions at sea and in detention situations and the asylum process.

63. UNHCR should strengthen integration of its age, gender and diversity mainstreaming (AGDM) strategy into protection efforts and evaluate that strategy in the light of the current accountability and results process. It should enhance its partnership with intergovernmental and non-governmental organizations in order to provide the most effective protection services to women and children, and also mainstream a gender perspective in the emergency shelter and protection clusters.

64. **Mr. Kuymizakis** (Malta) said that refugees continued to arrive in Malta by sea, often requiring rescue by the Maltese armed forces; in 2009 alone more than 1,200 immigrants from 43 different countries had arrived in Malta. That untenable situation required the attention of the international community.

In the Mediterranean as a whole the sinking of boats crowded with immigrants had led to considerable loss of life. Illegal immigration affected the socio-economic situation in Mediterranean countries and strained relations between States.

65. Illegal immigration placed a heavy burden on Malta, a small island with one of the highest population densities in the world. Malta nevertheless continued to honour its international obligations to refugees and persons qualifying for humanitarian protection and was one of the countries with the highest acceptance rate of asylum-seekers relative to its size and population. In 2005 his Government had embarked on a campaign aimed at raising awareness of the burden caused by illegal immigration, obtaining assistance from international partners and pursuing strategies at the regional and international levels to achieve durable solutions to the problem.

66. Illegal immigration constituted a soft security threat to countries of origin, transit and destination, depriving countries of origin of potential labour resources, placing a burden on transit and destination countries, and affecting inter-State relations. Closer security cooperation including border management would help eradicate human smuggling and trafficking, which contributed to illegal immigration. Both issues should be given equal importance by the United Nations and the international community.

67. His delegation fully supported the European Union's commitment to enhanced coordination among stakeholders but also called for better implementation of existing mechanisms in order to assist countries that received high numbers of illegal immigrants. States should exchange information and best practices and adopt a coherent approach to dealing with illegal immigration. They should likewise increase awareness, encourage prevention and meet their protection obligations in order to lessen the long-term negative effects of illegal immigration on often innocent victims.

68. Malta had always met its obligations with regard to illegal immigrants. Given that illegal immigration was a growing international phenomenon generally beyond the control of destination countries, however, the United Nations should address that issue in a holistic manner. All States, including countries of origin and transit, must likewise step up their efforts to deal with that challenge.

69. **Mr. Ould Hadrami** (Mauritania) said that his delegation appreciated the work of UNHCR, and in particular its efforts to assist the Mauritanian refugees who had left for Senegal during the painful events of 1989. In 2007, UNHCR and the concerned Governments had concluded an agreement to facilitate the refugees' voluntary return and reintegration into society. His Government had established several bodies including the National Agency for Refugee Assistance and Reintegration in order to assist that process.

70. As a result of those efforts, over 14,100 refugees had returned to Mauritania. Returnees received every available benefit, including recognition of civil status, health care and identification cards, and could settle where they chose. The National Agency provided food, basic necessities and land for cultivation and residence. Some 144 teachers had returned to their occupation. The return of refugees from Senegal was expected to be completed by 31 December 2009; 7,000 more refugees would return, bringing the total number of returnees to some 22,000 individuals.

71. **Mr. Nofukuka** (South Africa) acknowledged the structural and management reforms undertaken by UNHCR to make its headquarters leaner and more efficient, improve performance at the field level, strengthen planning and better assess needs. That would also make it easier for Member States to meet their protection responsibilities. He urged UNHCR to continue to promote durable solutions for refugees, particularly in Africa.

72. The number of refugees globally had decreased but the number of internally displaced persons had increased. Africa hosted the largest number of internally displaced persons; most of the refugee and displacement situations in Africa were protracted, depriving millions of people of the opportunity to contribute to the continent's development. Prolonged life in camps also exposed refugees to security threats, including recruitment by armed groups.

73. Natural disasters accounted for a growing number of displaced persons. The problem of climate change, which affected the poor more severely, must be addressed. The victims of natural disasters must be assisted in a timely and effective manner and their human rights should always be respected.

74. He welcomed the recent adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa and looked

forward to working with UNHCR and other partners to develop sustainable solutions for forced displacement in Africa. He also looked forward to increased partnership and better coordination with other stakeholders, especially under the leadership of Governments.

75. His delegation would continue to monitor the implementation of the cluster approach and the Delivering as One initiative. Implementation of the Biennial Programme Budget 2010-2011 should be aimed at protecting UNHCR's core mandate and States must ensure that UNHCR staff were able to carry out their work in the safest possible environment.

76. The poor regions of the world, in particular Africa, continued to bear the heaviest refugee protection burden. The rich countries must do more to support countries in those regions and equitably share the responsibility to provide protection according to the ability of each nation. His delegation recognized the valuable work done by UNHCR and appreciated the challenges it faced. It would continue to work to ensure that the needs of refugees and other vulnerable communities were met.

77. **Mr. Andanje** (Kenya) said that Kenya attached great importance to the work of UNHCR, in particular with regard to protection of refugees. The establishment by his Government of a Department of Refugee Affairs testified to its resolve to strengthen its national protection framework. His delegation appreciated the difficult circumstances UNHCR faced. In Africa the food and economic crises most affected the vulnerable, including refugees, while the financial crisis had limited available resources. Furthermore, insecurity and lawlessness in such countries as Somalia had hindered delivery of humanitarian assistance and even resulted in the deaths of humanitarian workers.

78. According to the report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/64/330), in 2008 the number of refugees in Africa had decreased by 7 per cent, primarily due to a number of successful voluntary return operations. The peaceful settlement of conflicts in a number of African countries however, had contributed in no small measure to the voluntary return of refugees, for example in Liberia, Sierra Leone and the Democratic Republic of the Congo.

79. Kenya currently hosted approximately 500,000 refugees, in two camps in northern Kenya and major urban centres. His delegation concurred with the report of the Secretary-General concerning the overcrowding in the Dadaab camp but strongly disagreed that the opening of new camps had been delayed pending allocation of land by the Kenyan authorities. His Government had to negotiate the allocation of land with the traditional leaders of the local Kenyan Somali communities, a long and complex process. Agreement in principle to the establishment of two additional camps in exchange for improved basic services for the local population had been reached and the sites had been visited by the High Commissioner during his visit to Kenya in September 2009.

80. The influx of refugees from Somalia at a rate of 5,000 persons per month following the recent escalation in violence in that country was a serious concern. It placed an enormous burden on resources needed for development and caused significant environmental degradation in a fragile ecosystem. The influx also posed a security threat because the movements of refugees could be exploited by criminal elements, resulting in the proliferation of illicit small arms and light weapons, leading to inter-community conflict and insecurity.

81. The post-election violence that had broken out in December 2007 had caused the displacement of approximately 700,000 people. Kenya had been ill-equipped to deal with such massive displacement. Thanks to the support of the international community, that situation had been addressed and most of the displaced had been resettled, although support for ongoing reconciliation initiatives was still needed.

82. His delegation fully supported the Secretary-General's recommendation that State and non-State parties to conflict and international and regional mediators should work towards addressing the root causes of all forms of displacement in Africa in a resolute manner, with greater attention to the links between the prevention of displacement, durable solutions and sustainable peace processes. Since the largest refugee and asylum-seeker burden was borne by the developing countries, the international community should step up its efforts to share that burden.

83. He welcomed the recent adoption of the Kampala Declaration on Refugees, Returnees and Internally Displaced Persons in Africa by the African Union Heads of State and Government. The Declaration would increase awareness of the problem and

encourage States, in cooperation with the African Union, to assume their responsibility to meet the needs of refugees and also to resolve the crises that had led to forced displacement. His Government would continue to protect the rights of refugees and asylum-seekers in partnership with UNHCR and other United Nations agencies.

84. **Ms. Luther-Ogbomode** (Nigeria) welcomed the efforts of UNHCR to meet the needs of refugees. The need for humanitarian assistance caused by an increase in crises, armed conflicts and natural disasters, and exacerbated by the effects of the current food, energy and economic crises, was a central issue on the international agenda. In Nigeria, the National Commission for Refugees was responsible for protection of persons of concern; its mandate had recently been expanded to include resettlement of displaced persons and migration matters in general.

85. Nigeria had found local integration to be a successful and a durable solution to its refugee problem. For example, bearing in mind the principle of freedom of movement and residence enshrined in the ECOWAS Treaty, it had entered into an agreement with the Governments of Liberia and Sierra Leone as well as the Economic Community of West African States (ECOWAS) and UNHCR aimed at the full integration of refugees from Liberia and Sierra Leone, including granting them the same rights as Nigerian citizens. The key to a durable solution was, however, full cessation of hostilities in those countries, establishment of democratic governments and cooperation by local, sub-regional and international stakeholders for the granting or conclusion of international protection. Her Government had sought the support of UNHCR to expand the agreement concerning Liberia and Sierra Leone into a subregional framework for refugees from ECOWAS countries.

86. Her Government had designated a new, more accessible and secure location for refugees in the town of Zing, in the state of Taraba that would allow for better coordination of humanitarian assistance. It worked closely with UNHCR to implement integration programmes for refugees in Gembu, also in the state of Taraba. More than 10,000 refugees had received skills training, basic services were provided and micro-credit schemes were available to promote employment. That reintegration programme, a joint effort of her Government and UNHCR aimed at promoting stability and reducing poverty and unemployment, was an example of a best practice relating to returnee populations.

87. Her Government was working with all stakeholders to articulate a national policy framework for the management of internally displaced persons and migration and was committed to establishing a sustainable settlement area for refugees and other persons of concern. It was expanding its Assisted Voluntary Returnees programme, establishing a national migration database, developing risk reduction mechanisms to reduce internal displacement, and strengthening regulation of its organized labour system in order to reduce irregular migration.

88. Her Government would continue to work to develop effective mechanisms for managing refugees, internally displaced persons, migrants and other persons of concern in keeping with the provisions of the 1951 Convention relating to the Status of Refugees and the 1969 Organization of African Unity Convention governing the Specific Aspects of Refugee Problems in Africa. Her delegation welcomed the recent adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa and called on all African States to sign that instrument.

89. **Mr. Al-Shami** (Yemen) said that his country had been among the first to ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. Yemen had implemented the provisions of those instruments in accordance with its Islamic and Arab principles, and had established a National Commission on Refugee Affairs in 2000. Since the early 1990s, it had received tens of thousands of refugees from the Horn of Africa, in particular from Somalia. The figures provided by UNHCR showed that some 46,000 refugees had arrived in 2009 alone. Camps had been set up and care had been provided to them, in cooperation with the relevant United Nations agencies.

90. The High Commissioner's report (A/64/12) stated that despite significant economic, social and security challenges facing the country, Yemen was a positive example. Yemen was also addressing the root causes by seeking a solution to the conflict in Somalia. The refugee problem represented a significant burden on Yemen. He therefore called on the international community to increase its support. His country appreciated the efforts of UNHCR, and in particular

the drive towards greater efficiency and decentralization.

93. **Mr. Al-Modaf** (Kuwait) said that his country continued to make voluntary contributions to UNHCR. Kuwait provided support for the 4.7 million Palestine refugees around the world. In particular, $24 million had been donated to cover basic necessities in the wake of the recent aggression against the Gaza Strip. His country had provided a total of $500 million, including $200 million for the Gaza Strip alone.

94. Kuwait had contributed $300 million to the Paris donor conference, $4 million to the reconstruction of the Nahr al-Bared camp in Lebanon and $300 million to the reconstruction of that country in the wake of the 2006 war. Kuwait wished to reaffirm its political, moral and material support for the Palestinian people and their just cause. It was a matter of grave concern that Israel continually hampered the humanitarian work of United Nations agencies.

95. The plight of displaced persons from Iraq also deserved attention. Kuwait had made voluntary contributions to UNHCR in order to provide for displaced persons in Iraq. His country appreciated the efforts of UNHCR to assist Iraqi refugees in such Arab States as Jordan and the Syrian Arab Republic.

96. **Ms. Swengbe** (Liberia) commended UNHCR for its work and recognized the courage of humanitarian workers, who faced increasing risks in the performance of their duties. Liberian refugees in neighbouring countries continued to receive humanitarian assistance while those who returned home enjoyed multi-sectoral support for reintegration; at the same time Liberia received assistance for refugees from other countries in its territory. UNHCR was working with her Government to address the situation of those Liberians still living in refugee camps and also to promote peacebuilding. With a view to strengthening the rule of law it had reinforced the judicial infrastructure, trained county-level officials, developed a legal framework for combating sexual and gender-based violence and established a special unit in the Ministry of Justice for that purpose.

97. She welcomed the involvement of UNHCR in meeting the needs of internally displaced persons and noted Liberia's positive experience of partnership with UNHCR and other United Nations agencies and NGOs to facilitate the return and reintegration of thousands of internally displaced persons. The international community should increase its financial support for UNHCR in spite of the current economic crisis and strengthen in particular its resolve to address the growing phenomenon of forced human displacement.

98. **Mr. Garayev** (Azerbaijan) expressed concern at attacks against humanitarian workers and violations of civilians' rights during conflict situations and called on all parties to conflicts to scrupulously meet their obligations under international humanitarian and human rights law. In a context of increasingly mixed migration flows he underscored the importance of giving all persons who needed humanitarian assistance full access to the asylum system. His delegation supported the involvement of international humanitarian organizations, in particular UNHCR, in addressing the humanitarian consequences of climate change. As a country still dealing with internally displaced persons, Azerbaijan commended UNHCR for expanding its protection and assistance activities to internally displaced persons.

99. The occupation of nearly one fifth of Azerbaijan's territory as a result of conflict had made nearly one person in eight a refugee or internally displaced person, one of the highest proportions in the world. Despite major efforts to provide those persons with housing, and integration of their needs into poverty

reduction and development strategies, they continued to face many difficulties. The increased focus on urban refugees was welcome, but it was unfortunate that the international community tended to forget refugee and displacement situations after the initial emergency phase. It was important that the relevant United Nations agencies should continue to work to achieve a final, comprehensive and lasting settlement of refugee and displaced person situations. His Government remained committed to close collaboration with UNHCR with a view to overcoming current challenges.

100. **Mr. Young** (International Committee of the Red Cross (ICRC)) said that preventing violations of international humanitarian law was the best way to avert the traumatic effects of internal displacement of populations during armed conflict. The Geneva Conventions of 1949 were the core treaties of international humanitarian law and the foundation for the mandate of ICRC. International humanitarian law was aimed at meeting the needs of civilian populations, including displaced persons. The Guiding Principles on Internal Displacement accordingly incorporated many principles of international humanitarian law.

101. States bore primary responsibility for meeting the needs of internally displaced persons, but international law also required armed groups to refrain from arbitrary displacement of civilians and provide assistance and protection to internally displaced persons in areas under their control. Because they were civilians, internally displaced persons were at the heart of the mandate of ICRC, which, in partnership with the International Red Cross and Red Crescent Movement, provided a major humanitarian response to their needs.

102. It was essential that humanitarian workers be guaranteed access to populations in need. ICRC adopted a multi-faceted approach based on persuading the parties to a conflict to allow access to those affected and prevent human rights violations, meeting the basic needs of civilian populations and re-establishing family links. It was therefore essential that people everywhere understood the strictly humanitarian mission of the International Red Cross and Red Crescent Movement, including the specific mandate of ICRC with regard to victims of armed conflict and situations of violence.

103. No single organization could meet the needs of internally displaced persons. Cooperation with other humanitarian agencies, bearing in mind respective mandates and procedures, was vital. In the context of the cluster approach, United Nations agencies, in particular UNHCR, had become increasingly involved in meeting the needs of internally displaced persons. ICRC therefore strived to promote action-oriented complementarity with other organizations. Greater operational proximity in the field necessitated intensified dialogue and cooperation in order to avoid duplication of efforts and ensure maximum benefit for victims. In addition to humanitarian assistance, however, durable solutions to the problems associated with internal displacement must be found. That would require close dialogue with the relevant authorities and empowerment of the communities concerned.

104. **Ms. Christensen** (International Federation of Red Cross and Red Crescent Societies (IFRC)) recalled that IFRC had a long-standing tradition of providing humanitarian assistance to vulnerable migrants, irrespective of their legal status. A new, comprehensive Policy on Migration aimed at increasing the effectiveness of assistance to and protection of migrants, including asylum-seekers, refugees and stateless persons, would shortly be submitted to the IFRC General Assembly for consideration.

105. Cooperation between IFRC, UNHRC and the intergovernmental community had increased in 2009, in particular with regard to mixed migration flows. IFRC had worked with UNHCR and the International Office for Migration (IOM) to organize an expert round table in Tunis in July 2009 on meeting the needs of different populations. IFRC believed in an integrated approach to needs and vulnerabilities. The new Policy on Migration recognized that the specific needs of each migrant, in particular the most vulnerable, must be met. IFRC addressed the needs of all vulnerable migrants without discrimination, irrespective of their legal status.

106. Countries of origin and destination countries were adopting increasingly restrictive measures to reduce migration, diminishing migrants' access to basic protection and assistance. It was all the more important, therefore, that humanitarian actors, in particular national Red Cross and Red Crescent Societies, were guaranteed access and the means to provide the humanitarian services to which all human beings had a right. Disaster preparedness plans must likewise facilitate access of humanitarian aid organizations to migrants, regardless of their status.

107. As an international humanitarian network rooted in local communities, IFRC would continue to cooperate with UNHCR and other partners while its national societies would continue to engage in dialogue with their respective Governments on how to address humanitarian concerns related to migration. She hoped that the new IFRC Policy on Migration would help build a wider consensus on the humanitarian response to migration.

108. **Mr. Dall'Oglio** (International Organization for Migration (IOM)) welcomed the recent adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, the first on that issue. The current economic crisis made the traditional distinction between economic and political migration even finer. While international and regional laws differentiated between asylum-seekers, refugees and other migrants, reality on the ground was quite blurred and migration flows were often mixed. Current conditions made successful management of migration even more difficult and underscored the importance of shared understanding of migration issues.

109. Dealing with and managing mixed migration flows composed of both asylum-seekers and other persons in need of international protection was a major area of cooperation between IOM and UNHCR. There was mutual recognition of the need to deepen cooperation and strengthen response to the needs of migrants and the victims of trafficking, each according to its own mandate. Joint efforts included mixed migration task forces at the field level, for example in the Gulf of Aden. The two organizations' respective offices in the Mediterranean likewise closely coordinated their actions. Cooperation for the organization of regional mixed migration workshops, the first two of which had been held in Sana'a and Dakar, would continue; the next, on the situation in the Americas, would be held in San José, Costa Rica, later that month.

110. Cooperation between IOM and UNHCR had continued to evolve with regard to meeting the needs of the internally displaced. They worked closely together in the Inter-Agency Standing Committee (IASC) and were co-leads of the IASC cluster on camp coordination and management. They also worked increasingly closely on meeting the challenges posed by climate change, environmental degradation and population movements. The two organizations had always worked together in the area of resettlement, for example in the Middle East, Asia and the Horn of Africa, and promoted resettlement throughout the European Union.

111. A major innovation in 2009 had been the partnership between IOM, UNHCR and the Governments of Romania, the Philippines and Slovakia for the establishment of emergency transit centres to facilitate third country resettlement. IOM would do its utmost to support the growing number of countries willing to participate in that international burden-sharing effort. It was likewise committed to reinforcing its mutually respectful partnership with UNHCR in the best interests of their stakeholders, especially those who required assistance.

*Statements in exercise of the right of reply*

112. **Mr. Keegel** (Sri Lanka), speaking in response to the ill-informed, biased and inaccurate comments relating to Sri Lanka made by the representative of Sweden speaking on behalf of the European Union, regretted that delegation's attempt once again to lecture his Government. Internally displaced persons in Sri Lanka continued to be protected and cared for by his Government with assistance from United Nations agencies and NGOs. Those internally displaced persons had been forcibly used as human shields by the Liberation Tigers of Tamil Elam (LTTE) and rescued by Sri Lankan security forces earlier in the year. They were unlike displaced persons in other parts of the world, where there were protracted situations of displacement. In the past few weeks nearly 60,000 persons had been returned to their homes; the total number of internally displaced persons had decreased from 294,000 to 167,000. That process would continue and should be acknowledged by the European Union.

113. Registered and screened internally displaced persons were allowed freedom of movement through a day pass system that had been in operation for some time. His Government was fully committed to protecting, assisting and resettling the internally displaced in accordance with international standards. It had allowed unrestricted access to all United Nations agencies as well as the 54 NGOs currently working in the camps. The Representative of the Secretary-General on human rights of internally displaced persons had commented positively on the situation in Sri Lanka and the unrestricted access allowed him during his visit. The Under-Secretary-General for

Humanitarian Affairs would likewise visit Sri Lanka that month at the invitation of the Government.

114. It was clear that the statement by the European Union was poorly researched and contained gross factual inaccuracies. His delegation rejected it. Making such unfounded allegations in the Committee cast any delegation in a poor light.

115. **Mr. Pak** Tok Hun (Democratic People's Republic of Korea) said that the imprudent remarks by the representative of the Republic of Korea constituted a challenge to the aspirations of the Korean people for unity, reconciliation and the reunification of the Korean peninsula. It was heartbreaking that the North and the South were represented in the Organization behind different nameplates and still more heartbreaking that the two brother nations continued to quarrel in international forums. It was against that background that his delegation refrained from criticizing the human rights situation in South Korea, including its security legislation, which defined the North, its system of Government and its people as enemies and provided for imprisonment of those who advocated reunification.

116. As for the specific remarks made by the delegate of South Korea, he acknowledged that a number of people had crossed the border illegally but it was not true that all returnees were punished or imprisoned. Each returnee's case was, of course, investigated to ascertain whether they had committed any crime before leaving, or while in a foreign country, but most were allowed to return home. He strongly warned his South Korean colleagues that the more they incited confrontation and division between the North and the South, the more their hostility would grow, and the more reunification and unity of a divided Korea would be delayed, for which they should be held fully responsible.

*The meeting rose at 6.15 p.m.*